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APR 28 2005

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IMPORTANT NOTICE
TELECOPY/FACSIMILE COVER LETTER

TO: U.S. Patent and Trademark Office
Examiner: Chih Min Kam
Art Unit: 1653

DATE: April 28, 2005

FROM: Lawrence J. McClure

TIME:

TOTAL NO. OF PAGES, INCLUDING COVER: 14

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MESSAGE:

Patent Application No.: 10/619,910; Our Ref. 81918.0003

I hereby certify that the following documents:

- ☒ Amendment Transmittal Letter
- ☒ Amendment

are being facsimile transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, for filing in the above application.

April 28 2005
Date of Deposit

Diane Zynn

TELECOPY/FAX NUMBER: 703-872-9306 ART UNIT 1653

CLIENT NUMBER: 81918.0003

ATTORNEY BILLING NUMBER: 1966

CONFIRMATION NUMBER: 571-272-0948 (return fax to Diane Zynn)

FORM PTO-1083

Attorney Docket No. 81918.0003
Patent Application No. 10/619,910

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

NISHIMURA et al.

Serial No: 10/619,910

Filed: July 15, 2003

For: A PEPTIDE AND OSTEOGENETIC ACCELERATOR

Art Unit: 1653

Examiner: Chih Min Kam

I hereby certify that this correspondence is being transmitted via facsimile to (703) 872-9308:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450 on

April 28, 2005

Date of Deposit

Diane Zynn

Name

Signature *Diane Zynn* 04/28/05
Date

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE	ADD'L FEE DUE
TOTAL CLAIMS FEE	23	-	23	0	LG=\$50 SM=\$25	\$ 0
INDEPENDENT CLAIMS FEE	4	-	4	0	LG=\$200 SM=\$100	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$360 SMALL ENTITY FEE = \$180	\$ 0
Independent Claims: 12, 15, 25, 35					TOTAL	\$ 0

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

- ☐ Please charge \$ 0 to Deposit Account No. 50-1314 to cover the additional claims fee. A copy of this sheet is enclosed.
- ☐ A check in the amount of \$ 0 to cover the extension fee is enclosed. A copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1314. A copy of this sheet is enclosed.
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: April 28, 2005

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By: *Lawrence J. McClure*

Lawrence J. McClure
Registration No. 44,228
Attorney for Applicant(s)

\\LA - 81918/0003 - 228314

Appl. No. 10/619,910

Attorney Docket No. 81918.0003

Amdt. Dated April 28, 2005

Customer No.: 26021

Response to Notice of Non-Compliant Amendment

of March 31, 2005 and Office Action dated November 1, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

NISHIMURA et al.

Serial No: 10/619,910

Confirmation No.: 7180

Filed: July 15, 2003

For: A PEPTIDE AND OSTEOGENETIC
ACCELERATOR

Confirmation No.: 7180

Art Unit: 1653

Examiner: Chih Min Kam

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P.O. Box 1450
Alexandria, VA 22313-1450 on

April 28, 2005

Date of Deposit

Diane Zynn

Name

Signature

04/28/05

Date

**RESPONSE TO NOTICE OF NON-
COMPLIANT AMENDMENT**

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Amendment dated March 31, 2005, and the Office Action dated November 1, 2004, please amend the above-referenced application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.